

TOWN COUNCIL MEETING

May 20, 2008 at 7:00 p.m.

BOARD OF LICENSE COMMISSIONERS

1. Call to Order 7:02 p.m. All Council members were present.

2. Minutes

a. April 22, 2008

Voted 5-0 to approve the minutes from April 22, 2008, (KM – JJ).

3. Application Private Detective License (Renewal)

a. Douglas Belknap

Voted 5-0 to approve the renewal of a private detective license for Douglas Belknap, (RM – JF).

4. Application for 24 Hour Victualling Licenses

a. 383 Corp d/b/a Dunkin Donuts

b. EMW, Inc d/b/a East Meets West

c. UTGR, Inc d/b/a Biscotti Bakery

d. Gleeda RI, Inc d/b/a Haagan Dazs

e. Zeena Food Enterprises, LLC d/b/a Zeena

f. Lincoln Dogs and Edibles d/b/a Nathan's Famous Hot Dogs

g. Jon Roc, Inc d/b/a Johnny Rockets

h. EDC, Inc. d/b/a Ronzio Pizza

Voted 5-0 to advertise for a public hearing on all of the above licenses on June 12, 2008 at 6:30 p.m., (KM – JJ).

5. Application for Victualling License

a. Eures Dining d/b/a Compass

Voted 5-0 to approve this victualling license, (KM – JJ).

b. Universal Investments d/b/a Del's

Voted 5-0 to approve this victualling license, (KM – JJ).

6. Application for Hawker/Peddler

a. Universal Investments d/b/a Del's

Voted 5-0 to grant this hawker /peddler license, (JJ – KM).

7. Application for Class F License

a. Event on June 7, 2008 St. Basil the Great

Voted 5-0 to approve this license for St. Basil the Great, (KM- RM)

8. Application for Beverage License Class BVL – Public Hearing

a. Tina SaSa, LLC d/b/a Super Suppers

Voted 5-0 on roll call to grant a BVL License to Tina SaSa, LLC, (KM – RM).

No members of the public spoke in opposition or in favor.

9. Application for Change of Hours of Operation – Public Hearing

a. Café at Fairlawn

Voted 5-0 on roll call to approve of the change in hours of operation at Café at Fairlawn, (RM – KM).

No members of the public spoke in opposition or in favor.

10. Application for Special Event License

a. Events at Twin River

Voted 5-0 to approve special events licenses for the following events: ESPN Friday Night Fights, Stars on Tour Dinner/Concert, and Bret Michaels Concert, (KM – RM).

TOWN COUNCIL

Call to Order 7:21 p.m.

Voted 5-0 to change the order of business and move to the presentation of the Capital Improvement Committee Report, (KM – JJ).

Capital Improvement Committee Report: Presentation of Report

Town Planner Al Ranaldi introduced Sam Shamoon who presented the report of the Capital Improvement Plan (CIP). Each Council member was given a copy of the report and asked questions of Mr. Shammon and Mr. Ranaldi.

The Council voted 5-0 to accept the report of the Capital Improvement Plan, (RM – JF/KM).

Voted to allow members of the public to give public comment on the CIP, (RM – KM).

Jim Spooner: Mr. Spooner would like to see the new senior center on a bus line.

Consent Agenda

Voted 5-0 to accept the consent agenda as amended, (KM – JJ). The consent agenda consists of the following:

Consideration of Monthly Bills

- 1. Accounts Payable – Library: \$31,559.06**
- 2. Accounts Payable – Town: \$183,188.54**
- 3. Direct Pay – Town: \$1,428,629.19**

Claims for Referral to Committee

a. Robert Oster for Jonathan Backner

Communications

1. State Mandated Financial Reports

a. Water Department

2. City of Providence

3. Town of Westerly

4. RI DEM

5. Karen Bradbury

6. Michael Bassen

7. Town of Middletown

8. Lincoln Water Commission

Reports

1. Town Administrator

Tax Abatements

a. \$ 35,201.63

Public Comment

George Hadley: Mr. Hadley would like to see resolutions posted on the Town's web site.

Richard Pina: Mr. Pina spoke to the council members about his long standing property dispute with Nation Grid.

Ed Slattery: Mr. Slattery would like to see the quorum need for the FTM stay at 100 voters. And feels a Saturday meeting might be better attended.

Jim Spooner: Mr. Spooner is opposed to amending the homestead exemption.

Keith Macksoud: Councilor Macksoud took this opportunity to recognize Mike Costic for his work with the Patriot Guardriders.

Voted 5-0 to change the order of business and move to consider Resolution 08-22: Authorizing the Distribution of Funds from Reserve Capital Account and Resolution 08-21: Purchase 14 Church Street, (JF – JJ).

Voted 5-0 for immediate consideration of Resolution 08-22, (JJ – RM)

Voted 5-0 to amend Resolution 08-22 to say funds will be placed in school capital reserve fund, (JJ – KM)

Voted 5-0 on roll call to adopt Resolution 08-22 as amended, (JJ –

RM).

Resolution 08-22

The Town of Lincoln

Resolution of the Town Council

A Resolution Authorizing the Transfer of Funds from the Capital Reserve Account to the School Capital Reserve Account, to Renovate Two Classrooms in the Northern Early Learning Center

WHEREAS, the Capital Development Committee (CDC) for the Town of Lincoln has studied the existing and future needs of the Northern Early Learning Center classrooms ELC-2 and ELC-3, and

WHEREAS, the CDC have identified Classroom ELC-2 and ELC-3 as being in need of interior renovations, specifically, the installation of ADA compliant unisex restrooms, 28 new “cubbie” storage areas, new interior finishes and flooring, and vanity area, and

WHEREAS, the estimated cost of the proposed renovations are \$204,550.00 and represent a Capital Expense, and

WHEREAS, after careful consideration and discussion, the Capital Development Committee voted to recommend to the Town Council that funds not to exceed \$204,550 be distributed from the Capital Reserve Account and be applied for the above noted project.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Lincoln hereby authorizes the transfer of funds from the Capital Reserve Account to the School Capital Reserve Account, not to exceed \$204,550 to Renovate Classrooms ELC-2 and ELC-3 in the Northern Early Learning Center.

Voted 5-0 for immediate consideration of Resolution 08-21, (RM – KM).

Voted 5-0 to approve Resolution 08-21, (RM – KM).

Resolution 08-21

The Town of Lincoln

Resolution of the Town Council

A Resolution in Support of Submitting a Bid to Purchase Property Located at 14 Church Lane, Manville

WHEREAS, the Capital Development Committee (CDC) for the Town of Lincoln has studied the existing and future needs of the Family Literacy Center located at 11 Winter Street, Manville, and

WHEREAS, the Town, working through its Community Development Block Grant program, has supported the lease payment of the Center which will expire at the end of this calendar year, and

WHEREAS, a vacant building exists one block from the existing Center and is on the real estate market. The parcel is Bank Owned and being sold “AS IS” condition and is listed for \$214,900

WHEREAS, members of the CDC toured the building with our building inspector and it was determined that the building could be upgraded to a public building and satisfy the present and future needs of the Family Literacy Center and possible additional municipal functions, and

WHEREAS, the entire CDC recommended to ask permission of the Town Council to submit a bid on the property, and

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Lincoln hereby supports the submission of a bid for the purchase of the property located at 14 Church Lane, Manville, subject to a signed purchase and sales agreement that is acceptable to the Town Council.

Voted 5-0 to change the order of business and consider: Communications, State Mandated Financial Reports from the Town and the School and then Purchasing Committee Report, Bid for Worker’s Compensation and Property/Liability Insurance, (KM – JF).

Voted 5-0 to accept the financial reports from the Town and the

school department, (KM – JJ). The reports were presented to council members at the meeting.

Council members asked the Finance Director questions regarding the bid for worker's compensation insurance. John Ward explained that the numbers were based on estimates, but that they are firm numbers and he is sure they are correct. Council members will consider this bid at the June 12, 2008 special meeting.

Minutes

- 1. April 21 – Ordinance Committee**
- 2. April 21 – Special Meeting**
- 3. April 21 – Work Session**
- 4. April 22 – Purchasing Committee**
- 5. April 22 – Claims Committee**
- 6. April 22 – Regular Meeting**
- 7. May 2 – Special Meeting**

Voted 5-0 to defer the minutes until the June 12, 2008 meeting, (JF – RM).

Appointments

- 1. Sewer Appeals - District 1**

Voted 5-0 to defer this appointment, (JJ – KM). This appointment is posted on the Town's web site.

- 2. Conservation Commission – District 4**

Voted 5-0 to defer, (JJ – KM).

3. Lonsdale Redevelopment Agency

Voted 5-0 to defer and send a letter asking the board what type of expertise they are in need of at this time, (KM – JJ).

4. Tenant Board – District 1

Voted 5-0 to defer, (KM – JJ).

Unfinished Business

1. Claims Committee Report

a. Robert E. Bibby

Voted 5-0 at the recommendation of the claims committee to settle this claim in the amount of \$1,250.00, (RM – JF).

b. Maria Carbone

Voted 5-0 to deny this claim and refer it to the Interlocal Trust, (RM – JF).

c. Anna Larginho

Voted 5-0 at the recommendation of the claims committee to settle this claim in the amount of \$387.78, (RM – JF).

2. Ordinance Committee Report

Ordinances – vote on Ordinances for consideration and/or passage

a. Ordinance 08-03: Amendment to Retirement of Municipal Employees

Voted 5-0 on roll call to adopt an amendment to Ordinance 08-03, (KM – JJ).

Amendment to Ordinance 08-03

The Town Council of The Town of Lincoln Hereby Ordains:

Related to: C17-6 Retirement of Municipal Employees

(1) Non-union Classified Employees, and full time Elected Officials, entitled to benefits under C17-6, employed, or elected, after July 1, 2008, will be exclusively afforded a Deferred Compensation Plan 457B, or its equivalent, to make consistent with state and local government IRS regulations.

(a) The Town of Lincoln will make annual matching contributions up to a maximum of eight percent (8%) of the employee's annual salary, providing the employee, as defined in section (1), elects to enroll and make contributions to the plan.. These employer contributions will be posted quarterly, in conjunction with the town's fiscal calendar. Employee contributions will be deducted from weekly salary compensation in schedule with payroll.

This Ordinance shall take effect upon passage.

b. Ordinance 08-06: Amendment to Homestead Exemption

This ordinance is still in committee.

**Resolutions – vote on Resolutions for consideration
and/or passage**

a. Resolution 07-48: FTM Quorum

This resolution was tabled in committee.

b. Resolution 08-16: Modify Homestead Exemption

This resolution is still in committee.

3. Mount Ave/Cobble Hill Road discussion and /or action

**Voted 5-0 to ask the Town Engineer to solicit bids to correct the
public safety issue at the corner of Cobble Hill Rd and Lakeview Ave,
(JF – JJ).**

New Business

2. Resolution introduction for referral to Committee

a. Resolution 08-17: Guard Rail K of C Field

Voted 5-0 for immediate consideration of Resolution 08-17, (KM – JJ).

Voted 5-0 to adopt Resolution 08-17, (KM – JJ).

Resolution 08-17

RESOLUTION OF THE TOWN COUNCIL

TOWN OF LINCOLN

THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY RESOLVES:

WHEREAS; a new ball field has been constructed on the Knights of Columbus property that is located on Jenckes Hill Road, which is also state highway 123, and

WHEREAS; this field was constructed to be used primarily by Lincoln's youth "T" ball, which are children 8 years of age or younger, some as young as 4 years old, and

WHEREAS; it is the duty and responsibility of the Town and the State to provide as safe an environment as possible for all our citizens, but especially our children, and

WHEREAS; both the amount of traffic and the allowable speed of the traffic can present a significant danger to the children that are playing on and near this field,

NOW THEREFORE BE IT RESOLVED THAT; the Town Council of the Town of Lincoln request that the Town Administrator and the Town Engineer take the necessary actions to petition the Rhode Island State Department of Transportation to have a guard rail installed on

RTE 123 along the length of the new ball field, and

BEIT FURTHER RESOLVED THAT a copy of this resolution be submitted to Lincoln's representatives to the General Assembly.

b. Resolution 08-18: Resolutions on web site

Voted 5-0 for immediate consideration of resolution 08-18, (KM – RM)

Voted 5-0 to adopt Resolution 08-18 as amended, (KM – JJ).

Voted 5-0 to amend Resolution 08-18 by adding ordinances, (KM – JJ).

RESOLUTION OF THE TOWN COUNCIL

TOWN OF LINCOLN

THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY RESOLVES:

WHEREAS; it is the desire of the Town Council of Lincoln to promote open and transparent government, and encourage participation of the Town's electors, and

WHEREAS; the Town maintains an excellent website that has a wide

variety of information that is easily accessible, and

WHEREAS; currently proposed resolutions that may concern individuals in the Town that will come before the Town Council are not posted on this website, and

WHEREAS; the Ordinance Committee unanimously agreed at its April 21, 2008 open meeting that it would be in the best interest of the Town to have these proposed resolutions and ordinances be available for viewing on the Town's website,

NOW THEREFORE BE IT RESOLVED THAT: the Town Clerk will take the necessary measures to ensure that all proposed resolutions and ordinances that will come before the Town Council on the Town's website and be identified as being in "draft" form.

c. Resolution 08-19: Support of CIP

Voted 5-0 for immediate consideration of resolution 08-19, (RM – KM).

Voted 5-0 to adopt Resolution 08-19, (RM – KM).

Resolution 08-19

The Town of Lincoln

Resolution of the Town Council

A Resolution to Include a New Senior Center in the Capital Improvement Plan

WHEREAS, the Capital Improvement Committee for the Town of Lincoln has studied the needs for senior citizens in the Town of Lincoln, including the need for a Senior Center, and

WHEREAS, the existing Senior Center is old and inadequate to meet the needs of Lincoln's senior population, and

WHEREAS, the Capital Improvement Committee has concluded and recommended that a new Senior Center be constructed on Town owned land at Lime Acres Park, and

WHEREAS, it is the sense of the Capital Improvement Committee that a new Senior Center at that location will best serve Lincoln's senior population

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Lincoln hereby requests that the construction of a new Senior Center located on Town owned land at Lime Acres Park commence and also hereby authorizes the Capital Improvement Senior Center Sub-Committee to proceed with the project pending

receipt of all necessary state and local permits and approvals.

d. Resolution 08-20: Increased Shared Gaming Revenue

Voted 5-0 to refer this resolution to the ordinance committee, (JJ – KM).

e. Resolution 08-23: Amendment to Charter

Voted 5-0 to refer this resolution to the ordinance committee, (JJ – KM).

f. Resolution 08-24: Fourth Quarter Adjustment to budget lines

Voted 5-0 for immediate consideration of resolution 08-24, (KM – JJ).

Voted 5-0 to adopt Resolution 08-24, (KM – JJ).

Resolution 08-24

**RESOLUTION AUTHORIZING AMENDMENTS TO THE FY 2007/2008
OPERATING BUDGET**

WHEREAS, § C4-8 of the Town Charter provides for adjustments to be made to the annual operating budget wherein it provides that, “The Town Council during the last quarter of the budget year may revise allotments between departments, offices and agencies...” in order to adjust the accounts according to the changing needs of the Town, and;

WHEREAS, certain accounts require budgetary adjustment due to necessary spending obligations that exceeded the authorization provided by the approved budget, and;

WHEREAS, the needed adjustments cannot be satisfied within the accounts of the affected departments, now;

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lincoln that authorizes and approves the amendments to the following accounts in the amounts indicated:

Increases

1-10-4110-11-110 Consulting Services \$ 30,000.00
1-10-4140-11-082 Election Expenses \$ 8,000.00
1-10-4150-11-099 GASB \$ 6,000.00
1-10-4150-11-169 Payroll Processing \$ 24,333.00
1-10-4200-11-042 Police Cleaning PR \$ 5,100.00
1-10-4200-04-001 Police Dept Staff Salaries \$124,900.00

Decreases

1-10-4130-11-112 Labor Relations \$ 14,000.00
1-10-4230-12-031 C/B Senior Bus \$ 24,333.00
1-10-4700-04-013 Anticipated Salary Inc \$130,000.00
1-10-4310-11- 204 Engineering Supplies \$ 10,000.00
1-10-4310-07-001 Engineering Aide Salary \$ 20,000.00

3. Ordinance introduction for referral to Committee

a. Ordinance 08-07: License Restrictions

Voted 5-0 to refer this ordinance to the ordinance committee, (JJ – KM).

b. Ordinance 08-08: Amendment to 24 Hour Ordinance

Voted 5-0 to refer this ordinance to the ordinance committee, (JJ – KM).

c. Ordinance 08-09: Twin River Revenue

Voted 5-0 to refer this ordinance to the ordinance committee, (KM – JF).

4. Solicitor's Report

An executive session will be scheduled on June 12, 2008 to review all pending cases.

Adjourn 9:20 p.m.

Karen D. Allen

Town Clerk